

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re: VILLAFANE, HELEN

§ Case No. 07-22442

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Debtor(s)

CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED  
AND APPLICATION TO BE DISCHARGED (TDR)

JOHN E. GIERUM, chapter 7 trustee, submits this Final Account,  
Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$212,310.00  
(without deducting any secured claims)

Assets Exempt: \$14,310.00

Total Distribution to Claimants: \$47,652.00

Claims Discharged

Without Payment: \$5,281.77

Total Expenses of Administration: \$287,175.59

3) Total gross receipts of \$ 850,048.98 (see **Exhibit 1** ), minus funds paid to the debtor and third parties of \$ 515,221.39 (see **Exhibit 2** ), yielded net receipts of \$334,827.59 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	0.00	287,175.59	287,175.59	287,175.59
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	0.00	0.00	0.00	0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	0.00	47,652.00	47,652.00	47,652.00
<b>TOTAL DISBURSEMENTS</b>	<b>\$0.00</b>	<b>\$334,827.59</b>	<b>\$334,827.59</b>	<b>\$334,827.59</b>

4) This case was originally filed under Chapter 7 on November 30, 2007.  
The case was pending for 47 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 11/06/2011 By: /s/JOHN E. GIERUM  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 –GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	\$ AMOUNT RECEIVED
Possible Malpractice Case	1142-000	850,000.00
Interest Income	1270-000	48.98
<b>TOTAL GROSS RECEIPTS</b>		<b>\$850,048.98</b>

<sup>1</sup>The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
VILLAFANE, HELEN	Personal Injury Exemption	8200-002	15,000.00
VILLAFANE, HELEN	Final Distribution	8200-002	500,221.39
<b>TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES</b>			<b>\$515,221.39</b>

**EXHIBIT 3 –SECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
		None				
<b>TOTAL SECURED CLAIMS</b>			\$0.00	\$0.00	\$0.00	\$0.00

**EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
JOHN E. GIERUM	2100-000	N/A	19,672.77	19,672.77	19,672.77
Beutel Hurst Bolecky LLC	3210-600	N/A	266,412.31	266,412.31	266,412.31
The Bank of New York Mellon	2600-000	N/A	1,090.51	1,090.51	1,090.51

<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>	N/A	287,175.59	287,175.59	287,175.59
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**EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
None					
<b>TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES</b>		N/A	0.00	0.00	0.00

**EXHIBIT 6 –PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
None						
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			0.00	0.00	0.00	0.00

**EXHIBIT 7 –GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	Capital Recovery II	7100-000	N/A	553.63	553.63	622.64
1I	Capital Recovery II	7990-000	N/A	69.01	69.01	0.00
2	Sovereign Bank New England	7100-000	N/A	31,297.89	31,297.89	35,199.41
2I	Sovereign Bank New England	7990-000	N/A	3,901.52	3,901.52	0.00
3	FIA CARD SERVICES, NA/BANK OF AMERICA	7100-000	N/A	10,518.71	10,518.71	11,829.95
3I	FIA CARD SERVICES, NA/BANK OF AMERICA	7990-000	N/A	1,311.24	1,311.24	0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			0.00	47,652.00	47,652.00	47,652.00

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Case Number: 07-22442  
Case Name: VILLAFANE, HELEN

Trustee: (520171) JOHN E. GIERUM

Filed (f) or Converted (c): 11/30/07 (f)

§341(a) Meeting Date: 01/04/08

Period Ending: 11/06/11

Claims Bar Date:

1		2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)		Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a) DA=\$554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
1	home- 562 N. Triumph Ct., Hainesville 100% inter Orig. Asset Memo: Imported from original petition Doc# 1	190,000.00	0.00	DA	0.00	FA
2	Cash Orig. Asset Memo: Imported from original petition Doc# 1	20.00	0.00	DA	0.00	FA
3	Consumers Co-Op Orig. Asset Memo: Imported from original petition Doc# 1	590.00	0.00	DA	0.00	FA
4	Refrigerator, stove,washer/dryer, bedroom furnit Orig. Asset Memo: Imported from original petition Doc# 1	1,500.00	0.00	DA	0.00	FA
5	Books, pictures & collections Orig. Asset Memo: Imported from original petition Doc# 1	35.00	0.00	DA	0.00	FA
6	clothing Orig. Asset Memo: Imported from original petition Doc# 1	100.00	0.00	DA	0.00	FA
7	Furs & jewelry Orig. Asset Memo: Imported from original petition Doc# 1	40.00	0.00	DA	0.00	FA
8	sports & hobby equipment Orig. Asset Memo: Imported from original petition Doc# 1	25.00	0.00	DA	0.00	FA
9	Possible Malpractice Case Orig. Asset Memo: Imported from original petition Doc# 1	Unknown	Unknown		850,000.00	FA
10	1995 Crown Victoria Orig. Asset Memo: Imported from original petition Doc# 1	2,000.00	0.00	DA	0.00	FA
11	2006 Impala so Orig. Asset Memo: Imported from original petition Doc# 1	18,000.00	0.00	DA	0.00	FA
Int	INTEREST (u)	Unknown	N/A		48.98	FA

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Case Number: 07-22442

Case Name: VILLAFANE, HELEN

Period Ending: 11/06/11

Trustee: (520171) JOHN E. GIERUM

Filed (f) or Converted (c): 11/30/07 (f)

§341(a) Meeting Date: 01/04/08

Claims Bar Date:

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a) DA=\$554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA) Gross Value of Remaining Assets
Ref. #					
12 Assets Totals (Excluding unknown values)	\$212,310.00	\$0.00		\$850,048.98	\$0.00

**Major Activities Affecting Case Closing:**

malpractice case is set for trial late 2011 or first half of 2012 per special counsel. Pretrial in Spring 2011.

Initial Projected Date Of Final Report (TFR): December 31, 2012

Current Projected Date Of Final Report (TFR): August 8, 2011 (Actual)

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 07-22442

Case Name: VILLAFANE, HELEN

Taxpayer ID #: \*\*-\*\*\*7588

Period Ending: 11/06/11

Trustee: JOHN E. GIERUM (520171)

Bank Name: The Bank of New York Mellon

Account: 9200-\*\*\*\*\*69-65 - Money Market Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
05/04/11	{9}	ISMIE Mutual Insurance Company	Proceeds Settlement one defendant	1142-000	850,000.00		850,000.00
05/31/11	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	31.43		850,031.43
06/06/11		To Account #9200*****6966	TRANSFER OF FUNDS	9999-000		281,412.31	568,619.12
06/06/11	1001	Beutel Hurst Bolecky LLC	First and Final Distribution Voided on 06/06/11	3210-600		266,412.31	302,206.81
06/06/11	1001	Beutel Hurst Bolecky LLC	First and Final Distribution Voided: check issued on 06/06/11	3210-600		-266,412.31	568,619.12
06/30/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	5.13		568,624.25
07/29/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	4.82		568,629.07
08/01/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		1,090.51	567,538.56
08/31/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	4.81		567,543.37
09/16/11	Int	The Bank of New York Mellon	Current Interest Rate is 0.0100%	1270-000	2.79		567,546.16
09/16/11		To Account #9200*****6966	TRANSFER FUNDS FROM MMA TO CHECKING FOR FINAL DISTRIBUTION	9999-000		567,546.16	0.00

<b>ACCOUNT TOTALS</b>	<b>850,048.98</b>	<b>850,048.98</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	848,958.47	
<b>Subtotal</b>	<b>850,048.98</b>	<b>1,090.51</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$850,048.98</b>	<b>\$1,090.51</b>	

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 07-22442

Case Name: VILLAFANE, HELEN

Taxpayer ID #: \*\*-\*\*\*7588

Period Ending: 11/06/11

Trustee: JOHN E. GIERUM (520171)

Bank Name: The Bank of New York Mellon

Account: 9200-\*\*\*\*\*69-66 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
06/06/11		From Account #9200*****6965	TRANSFER OF FUNDS	9999-000	281,412.31		281,412.31
06/13/11	101	Beutel Hurst Bolecky LLC	Special Counsel Fees	3210-600		266,412.31	15,000.00
06/13/11	102	VILLAFANE, HELEN	Personal Injury Exemption	8200-002		15,000.00	0.00
09/16/11		From Account #9200*****6965	TRANSFER FUNDS FROM MMA TO CHECKING FOR FINAL DISTRIBUTION	9999-000	567,546.16		567,546.16
09/20/11	103	Capital Recovery II	First and Final Distribution w/ interest	7100-000		622.64	566,923.52
09/20/11	104	Sovereign Bank New England	First and Final Distribution w/ interest	7100-000		35,199.41	531,724.11
09/20/11	105	FIA CARD SERVICES, NA/BANK OF AMERICA	First and Final Distribution w/ interest	7100-000		11,829.95	519,894.16
09/20/11	106	JOHN E. GIERUM	First and Final Distribution	2100-000		19,672.77	500,221.39
09/20/11	107	VILLAFANE, HELEN	Final Distribution	8200-002		500,221.39	0.00

<b>ACCOUNT TOTALS</b>	<b>848,958.47</b>	<b>848,958.47</b>	<b>\$0.00</b>
Less: Bank Transfers	848,958.47	0.00	
<b>Subtotal</b>	<b>0.00</b>	<b>848,958.47</b>	
Less: Payments to Debtors		515,221.39	
<b>NET Receipts / Disbursements</b>	<b>\$0.00</b>	<b>\$333,737.08</b>	

	Net Receipts	Net Disbursements	Account Balances
<b>TOTAL - ALL ACCOUNTS</b>			
MMA # 9200-*****69-65	850,048.98	1,090.51	0.00
Checking # 9200-*****69-66	0.00	333,737.08	0.00
	<b>\$850,048.98</b>	<b>\$334,827.59</b>	<b>\$0.00</b>



THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER WITH THE LOGO FADING IN THE BACKGROUND

**THE BANK OF NEW YORK MELLON**  
600 Rupp Street, Suite 150-0510, Pittsburgh, PA 15262

**VOID AFTER 90 DAYS**

103  
80-2497433

Case: 07-22442 ABG  
Debtor: VILLAFANE, HELEN  
92003458716966  
First and Final Distribution of Interest

Pay to: Capital Recovery II  
Order of: 25 SE 2nd Avenue, Suite 1120  
Miami FL 33131

John E. Gierum  
JOHN E. GIERUM, Trustee

Date: 09/20/2011 \$ \*\*\*\*\*622.64

---Six Hundred Twenty-Two Dollars and 64/100

⑈00000103⑈ ⑆043302493⑆92003458716966⑈

...14287596

>267090594<  
BankUnited #014  
2011-09-26  
014287596

CAPITAL RECOVERY II  
PAY TO THE ORDER OF  
RECOVERY MANAGEMENT  
SYSTEMS CORPORATION  
10000 RIVERCHASE BLVD  
SUITE 200  
HOUSTON, TEXAS 77056

Check Number: 104 Pay Date: 09/27/2011 Amount: \$35,199.41

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**THE BANK OF NEW YORK MELLON**  
600 Rupp Street, Suite 150-0510, Pittsburgh, PA 15262

**VOID AFTER 90 DAYS**

104  
80-2497433

Case: 07-22442 ABG  
Debtor: VILLAFANE, HELEN  
92003458716966  
First and Final Distribution of Interest

Pay to: Sovereign Bank New England  
Order of: P.O. Box 130424  
Roseville MN 55113

John E. Gierum  
JOHN E. GIERUM, Trustee

Date: 09/20/2011 \$ \*\*\*\*\*35,199.41

---Thirty-Five Thousand One Hundred Ninety-Nine Dollars and 41/100

⑈00000104⑈ ⑆043302493⑆92003458716966⑈

PAY TO THE ORDER OF  
Sovereign Bank  
ROSEVILLE MN  
ALLY SERVING LLC  
SOVEREIGN BANK TRUST ACCT  
1007-781-3241

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VOID AFTER 90 DAYS 105

THE BANK OF NEW YORK MELLON  
500 West Street, Suite 1500-010, Pittsburgh, PA 15222

Case 07-22442 ABG Debtor VILLAFANE, HELEN  
92003458716966  
First and Final Distribution of Interest

VID #520171 JOHN E. GIERUM  
SUITE 1015  
9700 WEST HIGGINS ROAD  
ROSEMONT IL 60018

Date 09/20/2011 \$ \*\*\*\*\*11,829.95

---Eleven Thousand Eight Hundred Twenty-Nine Dollars and 95/100

Pay to the Order of FIA CARD SERVICES, N/A/BANK OF AMERICA  
by American InfoSource LP as its agent  
PO Box 248809  
Oklahoma City OK 73124-8809

JOHN E. GIERUM, Trustee

⑈00000105⑈ ⑆043302493⑆92003458716966⑈

CREDIT WITHIN NAMED PAYEE >383887995<MIDFIRST  
1 09/26/2011 7857616940 00000065901022192

Check Number: 106 Pay Date: 09/23/2011 Amount: \$19,672.77

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VOID AFTER 90 DAYS 106

THE BANK OF NEW YORK MELLON  
500 West Street, Suite 1500-010, Pittsburgh, PA 15222

Case 07-22442 ABG Debtor VILLAFANE, HELEN  
92003458716966  
First and Final Distribution

VID #520171 JOHN E. GIERUM  
SUITE 1015  
9700 WEST HIGGINS ROAD  
ROSEMONT IL 60018

Date 09/20/2011 \$ \*\*\*\*\*19,672.77

---Nineteen Thousand Six Hundred Seventy-Two Dollars and 77/100

Pay to the Order of JOHN E. GIERUM  
SUITE 1015  
9700 WEST HIGGINS ROAD  
ROSEMONT IL 60018

JOHN E. GIERUM, Trustee

⑈00000106⑈ ⑆043302493⑆92003458716966⑈ ⑆0001967277⑈

SEP 21 10  
7817887017

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VOID AFTER 90 DAYS

107

THE BANK OF NEW YORK MELLON  
500 Reg. Secret, Suite 1500, Pittsburgh, PA 15244

Case: 07-22442 ABQ  
Debtor: VILLAFANE, HELEN  
92003438716966  
Final Distribution

TR: 8370171  
JOHN E. GIERUM  
SUITE 1015  
9700 WEST HIGGINS ROAD  
ROSEMONT IL 60018

Date: 09/20/2011 \$: \*\*\*\*\*500,221.39

Five Hundred Thousand Two Hundred Twenty-One Dollars and 39/100

Pay to the Order of: VILLAFANE, HELEN  
1255 NORTH FROLIC AVENUE  
APT. 104  
WAUKEGAN IL 60085

JOHN E. GIERUM, Trustee

⑈00000107⑈ ⑆043302493⑆92003458716966⑈

1. SIGNATURE OF  
X Helen Villafane

07-22442 ABQ  
92003438716966  
09/20/2011  
\*\*\*\*\*500,221.39